IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 177 OF 2006

IN

CRIMINAL REVISION APPLICATION NO. 13 OF 2006

SHRI VISHAL FATI DESSAI, CANACONA. ....Applicant

Versus

MR. NAMI NAKANO GAONKAR AND ANR., ...Respondents

Mr. V.A. Lawande, Advocate for the Applicant.

Mr. S. N. Sardessai, P.P. for the State/Respondent no.2.

Coram:- N. A. BRITTO, J.

Date:- 13th April, 2006

P.C.

Heard Shri Lawande, the learned Counsel on behalf of the applicant/accused.

2. The accused has been convicted and sentenced under Section 138 of the Negotiable Instruments Act, 1881, and, inter alia, has been ordered to pay compensation in the sum of Rs.2,10,000/-. The subject matter of the case are five cheques, all in a sum of Rs.1,96,000/-, as stated by learned Counsel Shri Lawande. The sentence imposed has been confirmed by the learned Additional Sessions Judge, FTC-I. The execution of the sentence imposed by the learned J.M.F.C. and as confirmed by the learned Additional Sessions Judge in C.C. No.82/N/2004, is hereby stayed upon the petitioner/accused depositing a sum of Rs.1,00,000/- before the learned J.M.F.C., Canacona, within a period of three weeks from today. In the meantime, the

petitioner/accused, shall be released on bail upon execution of a bond of Rs.15,000/- with one surety in the likeamount to the satisfaction of the learned J.M.F.C., Canacona. Bail shall automatically stand cancelled in the event of the failure of the applicant to deposit the above sum before the learned J.M.F.C., Canacona.

Expedite authenticated copy.

N. A. BRITTO, J.

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